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8 INCORPORATED

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11  
12 OMNIVISION TECHNOLOGIES, INC.,

13 Plaintiff,

14 v.

15 QUALCOMM INCORPORATED,

16 Defendant.  
17

CASE NO. CV 08 1036 (RS)

**STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS**

McDERMOTT WILL & EMERY LLP  
ATTORNEYS AT LAW  
PALO ALTO

**STIPULATION TO ALTERNATIVE DISPUTE RESOLUTION**

Omnivision Technologies, Inc. ("OVT") and Qualcomm, Incorporated ("Qualcomm") have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in private mediation. The parties are in the process of working out the details of the anticipated mediation.

The parties further agree to hold the private mediation session by October 31, 2008.

Dated: May 20, 2008

[Signature]  
Attorney for Plaintiff

Dated: 5/21/08

[Signature]  
Attorney for Defendant

**[PROPOSED] ORDER**

Pursuant to the parties Stipulation To Alternative Dispute Resolution, the above-entitled action is hereby referred to private mediation.

The deadline for the parties to hold a private mediation session is October 31, 2008.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

UNITED STATES MAGISTRATE JUDGE

MPK 141800-1.050278.0399

MCDERMOTT WILL & EMERY LLP  
ATTORNEYS AT LAW  
PALO ALTO

**CERTIFICATE OF SERVICE**

Pursuant to the Electronic Filing Administrative Policies and Procedures Manual section 2.d, I hereby certify that on this **May 21, 2008**, I electronically filed the

**STIPULATION AND (PROPOSED) ORDER SELECTING ADR PROCESS** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to attorneys for Plaintiff, Andrew P. Bridges, Jennifer A. Golinveaux, K. Joon Oh with the email addresses: abridges@winston.com, jgolinveaux @winston.com, koh@winston.com.

Executed on **May 21, 2008** at Palo Alto, California.

  
Gina Marie Royeca

MPK 142180-1.050278.0399

MCDERMOTT WILL & EMERY LLP  
ATTORNEYS AT LAW  
PALO ALTO